



Docket No. CRD5062USANP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Robert Falotico, et al.

Serial No. : 10/742,346

Art Unit: 1615

Filed : December 19, 2003

Examiner: Carlos Azpuru

For : LOCAL VASCULAR DELIVERY OF TRICHOSTATIN A ALONE OR IN
COMBINATION WITH SIROLIMUS TO PREVENT RESTENOSIS FOLLOWING
VASCULAR INJURY

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed
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May 20, 2005

(Date of Deposit)

Carl J. Evens

(Name of applicant, assignee, or Registered Representative)

/Carl J. Evens/

(Signature)

May 20, 2005

(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37
C.F.R. §§1.97-1.98, information relating to the above-identified
application is hereby disclosed. Inclusion of information in
this statement is not to be construed as an admission that this
information is material as that term is defined in 37 C.F.R.
§1.56(b).

Applicant(s) reserve(s) the right to establish the
patentability of the claimed invention over any of the
information provided herewith, and/or to prove that this
information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Statement in Accordance with §1.97(e)
(attached); or

☐ Please charge Deposit Account No. 10-
0750/ / the fee of \$180.00 as set forth
in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e)
(attached); or
- ☐ Please charge Deposit Account No. 10-
0750/ / the fee of \$180.00 as set forth
in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☒ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a) (2).

☒ There are no listed references which are not in the English language.

☐ The relevance of those listed references which are not in the English language is as follows:

☒ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

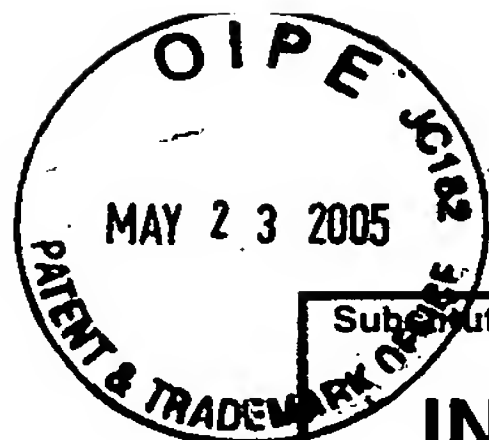
Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/CRD5062USANP/CJE. This form is submitted in triplicate.

Respectfully submitted,

/Carl J. Evens/

Carl J. Evens
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DATED: May 20, 2005



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 2

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|------------------------|-------------------|
| Application Number | 10/742,346 |
| Filing Date | December 19, 2003 |
| First Named Inventor | Robert Falotico |
| Group Art Unit | 1615 |
| Examiner Name | Carlos Azpuru |
| Attorney Docket Number | CRD5062USANP |

U.S. PATENT DOCUMENTS

| Examiner Initials | Cite No. ¹ | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document mm-dd-yyyy | Pages, Columns, Lines, where relevant passages or relevant figures appear |
|----------------------|--------------------------|----------------------|--------------------------------------|--|--|---|
| | | Number | Kind Code ² (if known) | | | |
| | | 2004/072849 | A1 | Schreiber et al. | 04-15-2004 | |
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FOREIGN PATENT DOCUMENTS

| Examiner Initials | Cite No. ¹ | Foreign Patent Document | | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document mm-dd-yyyy | Pages, Columns, Lines, where relevant passages or relevant figures appear | T ⁶ |
|----------------------|--------------------------|-------------------------|---------------------|------------------------|---|--|--|----------------|
| | | Office ³ | Number ⁴ | Kind Code ⁵ | | | | |
| | | EP | 1362602 | A | Cordis Corporation | 11-19-2003 | | |
| | | WO | 04/009771 | A | Advanced Stent Technologies, Inc. | 01-29-2004 | | |
| | | WO | 04/098495 | A | The Trustees of Columbia University in the City of New York | 11-18-2004 | | |
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| Examiner Signature | | Date Considered | |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. ⁶ If possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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|--|-------------------------------|-------------------|
| <p align="center">SUBMISSION UNDER MPEP 609 D</p> <p align="center">Page 1 of 1</p> | <i>Application Number</i> | 10/742,346 |
| | <i>Filing Date</i> | December 19, 2003 |
| | <i>First Named Inventor</i> | Robert Falotico |
| | <i>Group Art Unit</i> | 1615 |
| | <i>Examiner Name</i> | Carlos Azpuru |
| | <i>Attorney Docket Number</i> | CRD5062USANP |

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|----------------------|--------------------------|--|-------------------------|---------------------|-----------------------|--|----------------|
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OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

| Examiner 's Initials* | Cite No. ¹ | Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T ² |
|-----------------------------|--------------------------|--|----------------|
| | | European Search Report EP 04 25 7842 dated March 31, 2005 | |
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